

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN

UNITED STATES OF AMERICA,

Plaintiff,
v.

GOVERNMENT OF THE VIRGIN ISLANDS, VIRGIN
ISLANDS PORT AUTHORITY, VIRGIN ISLANDS
WASTE MANAGEMENT AUTHORITY, JOSEPH
HODGE, ZULMA HODGE,

Defendants.

Civ. No. 10-48

ATTORNEYS:

Mark Gallagher

Rachel Evans King

United States Department of Justice

Washington, DC

For the plaintiff United States of America,

Grethchen Shappert

Joycelyn Hewlett

United States Attorney's Office

St. Thomas, U.S.V.I.

For the plaintiff United States of America,

Ian Clement

Pamela R. Tepper

V.I. Department of Justice

St. Thomas, V.I.

For the defendant Government of the Virgin Islands.

Robert Goldsmith

Law Office of Marjorie Rawls Roberts, P.C.

St. Thomas, U.S.V.I.

For the Virgin Islands Waste Management Authority.

ORDER

On September 26, 2018, the Court held an evidentiary hearing in this matter. The Interim Executive Director of the Virgin Islands Waste Management Authority ("VIWMA"), Adrian Taylor, did not attend the hearing. VIWMA represented that Taylor was unavailable because he was needed in St. Croix to address a fire at the Anguilla landfill that had erupted hours before the scheduled quarterly hearing. In Taylor's absence VIWMA personnel were unable to provide meaningful testimony with respect to the status of the landfills at the center of this case, including the Anguilla landfill that had erupted in fire at that time.

At the conclusion of that hearing, the Court held a post-hearing conference in chambers. At that conference, the Court highlighted the benefits of continuity in resolving the issues surrounding the Consent Decree in this case. The parties addressed the frequent turnover of the management team at VIWMA—including 3 different executive directors in less than a 6 month period. Given that backdrop, the parties agreed that there was utility in providing the Court with prompt notice of significant developments at VIWMA, including changes in key personnel positions. The parties agreed to submit proposals addressing the

manner and means by which such notice could be provided to the Court.¹

The Court also discussed the need for a follow-up hearing to address the status of the landfills, including the September 26, 2018, fire at the Anguilla landfill.

The premises considered, it is hereby

ORDERED that the parties' briefs regarding the manner and means by which prompt notice of key changes at VIWMA would be provided to the Court shall be **FILED** no later than 7:00 P.M. on October 3, 2018; it is further

ORDERED that an evidentiary hearing in this matter is **SCHEDULED** to begin promptly at 9:45 A.M. on October 11, 2018.

S_____
Curtis V. Gómez
District Judge

¹ At the status conference, the Court indicated that briefs on the topic should be filed no later than 3:00 P.M. on September 3, 2018. At that time, no briefs were filed.